

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

February 21, 2003

IN RE:

BELLSOUTH'S TARIFF TO INTRODUCE  
WELCOMING REWARD PROGRAM

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DOCKET NO.  
03-00060

TARIFF NO.  
03-017

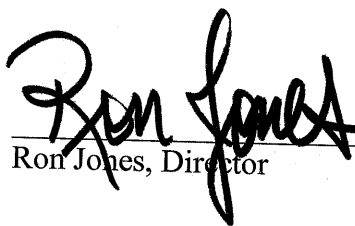
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**ERRATUM TO DISSENT OF DIRECTOR RON JONES  
TO ORDER ALLOWING TARIFF TO GO INTO EFFECT**

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The *Dissent of Director Ron Jones to Order Allowing Tariff to Go Into Effect* was filed on February 20, 2003 in the above-styled docket. Due to an inadvertent error, the dissent contains an incorrect date. Accordingly, the following modification is made. The reference to June 7, 2003 appearing in footnote 17 on page 5 is changed to January 7, 2003.

Attached to this *Erratum to Dissent of Director Ron Jones to Order Allowing Tariff to Go Into Effect* is a corrected page 5. This corrected page is specifically incorporated by this reference and shall be substituted into the *Dissent of Director Ron Jones to Order Allowing Tariff to Go Into Effect* filed on February 20, 2003.

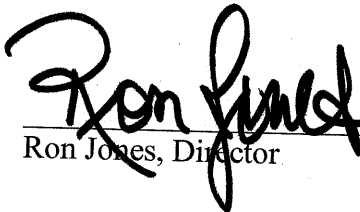
  
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Ron Jones, Director

case, the Consumer Advocate and CLEC Coalition repeatedly opposed allowing the Welcoming Reward Program to go into effect.<sup>16</sup>

In addition to my disagreement with the specific grounds provided by the majority, I must also dissent because I believe the arguments presented during the conference indicated that there were numerous issues in this docket and that further consideration should be given to those issues before allowing the tariff to go into effect, particularly given that no decision had been made as to whether to convene a contested case. Additionally, BellSouth did not argue that it would be harmed if the tariff were not made effective on February 3, 2003. BellSouth simply insisted that the Authority allow BellSouth to offer the program.

Lastly, I am concerned that the majority's decision will create a precedent for the next tariff that comes along. In order to avoid the need to reverse harmful effects, it is important that this agency consider each tariff independently and not adopt a policy of allowing tariffs to go into effect without regard to the complaints of individuals or entities.

For the foregoing reasons, I respectfully dissent from the majority's decision to allow the Tariff to Introduce Welcoming Reward Program to go into effect as modified. This decision should not be construed, however, as favoring denial of the tariff. It may be that further analysis of the issues will indicate that the tariff as revised is legal.<sup>17</sup> On February 3, 2003, though, that decision was premature.

  
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Ron Jones, Director

<sup>16</sup> *Id.*, Feb. 3, 2003, pp. 71-72, 86-87 (unsigned version) (Authority Conference, Docket No. 03-00060).

<sup>17</sup> In fact, had the panel voted to consider in a contested case proceeding the tariff as filed rather than the majority voting to revise the tariff and allow it to go into effect, it may have been that the panel would have concluded that the tariff as filed on January 7, 2003 was legal.